

04-15-09

1644

Small

Please type a plus sign (+) inside this box →



PTO/SB/21 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	09/837,446
Filing Date	April 17, 2001
First Named Inventor	BUTCHER, EUGENE C.
Group Art Unit	1644
Examiner Name	ROARK, JESSICA H.
Attorney Docket Number	STAN-110CON

Total Number of Pages in This Submission 18

## ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Documents <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Response to Notice of Non-Compliant Response 2. Copy of Notice of Non-Compliant Response 3. Postcard
Remarks		

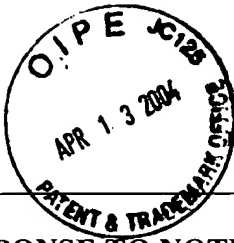
## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Signing Attorney/Agent (Reg. No.)	JAMES S. KEDDIE, PH.D., 48,920 BOZICEVIC, FIELD & FRANCIS LLP
Signature	<i>James S. Keddie</i>
Date	April 13, 2004

EXPRESS MAIL LABEL NO. EV405281290US

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

EXPRESS MAIL LABEL NO.: **EV405281290US**

<b>RESPONSE TO NOTICE OF NON-COMPLIANT RESPONSE</b>  Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Attorney Docket	STAN-110CON
	Confirmation No.	4334
	First Named Inventor	BUTCHER, EUGENE C.
	Application Number	09/837,446
	Filing Date	April 17, 2001
	Group Art Unit	1644
	Examiner Name	ROARK, JESSICA H.
	Title	<i>"MODULATION OF SYSTEMIC MEMORY T CELL TRAFFICKING"</i>

Sir:

In response to the Notice of Non-compliant Response dated March 30, 2004, attached hereto is an revised amendment under 37 C.F.R. §1.111. This amendment is responsive to the Office Action dated July 7, 2003. A one-month period for response to the Notice of Non-compliant Response was given making this response due on or before April 30, 2004. As such, this response is timely filed.

The revised amendment is original amendment except that the phrase "**1-22. (Cancelled)**" is added to page 3. A complete listing of all of the claims is present in the revised amendment, and, accordingly, the Applicants respectfully submit that the revised amendment is compliant.

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit any overpayment to Deposit Account No. 50-0815, order number STAN-110CON.

Respectfully submitted,  
BOZICEVIC, FIELD & FRANCIS LLP

Date: April 13, 2004By: 

James S. Keddie, Ph.D.  
Registration No. 48,920

BOZICEVIC, FIELD & FRANCIS LLP  
200 Middlefield Road, Suite 200  
Menlo Park, CA 94025  
Telephone: (650) 327-3400  
Facsimile: (650) 327-3231



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/837,446	04/17/2001	Eugene C. Butcher	STANI10CON	4334

24353 7590 03/30/2004

BOZICEVIC, FIELD & FRANCIS LLP  
200 MIDDLEFIELD RD  
SUITE 200  
MENLO PARK, CA 94025

EXAMINER

ROARK, JESSICA H

ART UNIT

PAPER NUMBER

1644

DATE MAILED: 03/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

COPY

ma  
jku

DOCKETED 4/2

rs oa 4/30/04

LD 9/30/04

RECEIVED

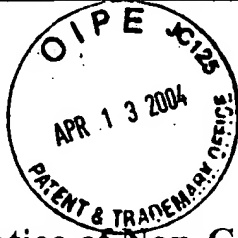
APR - 2 2004



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, DC 20231  
www.uspto.gov

09/837446



Paper No. 03292004

Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on 1/23/04 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121, as amended on June 30, 2003 (see 68 Fed. Reg. 38611, Jun. 30, 2003). In order for the amendment document to be compliant, correction of the following omission(s) or provision is required. Only the section (1.121(h)) of the amendment document containing the omission or non-compliant provision must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted.

THE FOLLOWING CHECKED (X) ELEMENTS(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☐ B. Other \_\_\_\_\_
- ☐ 3. Amendments to the drawings: \_\_\_\_\_
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all claims (incl. withdrawn claims)
  - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified.
  - ☒ D. The claims of this amendment paper have not been presented in ascending numerical order.\*
  - ☐ E. Other: \* Claim 23 is both "Cancelled" and "Correctly Amended"

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opla/preognotice/officeflyer.pdf>.

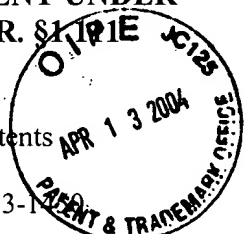
If the non-compliant amendment is a **PRELIMINARY AMENDMENT**, applicant is given ONE MONTH from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.

If the non-compliant amendment is a reply to a **NON-FINAL OFFICE ACTION**, and since the amendment appears to be a *bona fide* attempt to be a reply (37 CFR 1.135(c)), applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).**

If the amendment is a reply to a **FINAL REJECTION**, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

PHILLIP GAMBEL  
PHILLIP GAMBEL, PH.D  
PRIMARY EXAMINER  
RT# CENTER 1600  
3/29/04

**EXPRESS MAIL LABEL NO.: EV405281290US      April 13, 2004**

<b>AMENDMENT UNDER</b> <b>37 C.F.R. § 1.191E</b>  Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1	Attorney Docket	STAN-110CON
	Confirmation No.	4334
	First Named Inventor	BUTCHER, EUGENE C.
	Application Number	09/837,446
	Filing Date	April 17, 2001
	Group Art Unit	1644
	Examiner Name	ROARK, JESSICA H.
	Title <i>"MODULATION OF SYSTEMIC MEMORY T CELL TRAFFICKING"</i>	

Sir:

This amendment is responsive to the Office Action dated July 7, 2003, for which a three-month period for response was given making this response due on or before October 7, 2003. As such, this response is timely filed.

In view of the amendments to the claims and the remarks set forth below, reconsideration and allowance are respectfully requested.